

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

ROBERT CURTIS FINCH, )  
Plaintiff, ) CV 109-150  
v. )  
MEDICAL COLLEGE OF GEORGIA, )  
et al., )  
Defendants. )

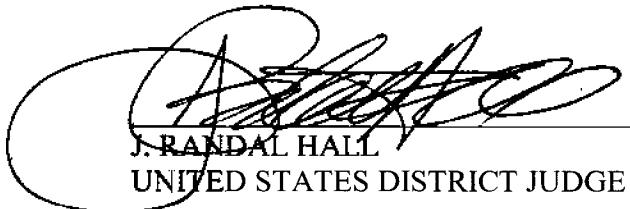
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**O R D E R**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's "Motion for Summary Judgment" (doc. no. 33) is **DENIED**, and Plaintiff's "Rule 35 Motion For Physical Evidence" (doc. no. 31) is **DENIED**. Furthermore, the above-captioned complaint is **DISMISSED** for failure to state a claim upon which relief may be granted, Plaintiff's state law claims are **DISMISSED** without prejudice, and this civil action is **CLOSED**.<sup>1</sup>

SO ORDERED this 17<sup>th</sup> day of March, 2010, at Augusta, Georgia.



RANDALL HALL  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Plaintiff's "Motion In A Civil Action," and Plaintiff's "Rule 35 Motion for Physical Evaluation/Examination" (doc. nos. 36, 43), are **MOOT**.